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FM AMEMBASSY KUALA LUMPUR  
TO RUEHC/SECSTATE WASHDC IMMEDIATE 1406  
INFO RUEHGP/AMEMBASSY SINGAPORE IMMEDIATE 4561  
RHEHNSC/NSC WASHDC IMMEDIATE  
RUCNASE/ASEAN MEMBER COLLECTIVE PRIORITY  
RUEHAK/AMEMBASSY ANKARA PRIORITY 0130  
RUEHBY/AMEMBASSY CANBERRA PRIORITY 2597  
RUEHLO/AMEMBASSY LONDON PRIORITY 0461  
RUEHKO/AMEMBASSY TOKYO PRIORITY 2554  
RUEHWL/AMEMBASSY WELLINGTON PRIORITY 0572  
RUEHBS/USEU BRUSSELS PRIORITY  
RUEKJCS/SECDEF WASHDC PRIORITY  
RHHMUNA/CDR USPACOM HONOLULU HI PRIORITY

C O N F I D E N T I A L SECTION 01 OF 02 KUALA LUMPUR 000648

SIPDIS

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E.O. 12958: DECL: 07/23/2028  
TAGS: [PGOV](#) [PREL](#) [PHUM](#) [KDEM](#) [KJUS](#) [MY](#)  
SUBJECT: HOME MINISTER ASSEMBLES DIPLOMATS, DEFENDS  
HANDLING OF ANWAR CASE

REF: A. KUALA LUMPUR 645 - ANWAR BRIEFS DIPLOMATS  
[1](#)B. KUALA LUMPUR 644 - MALAYSIA'S POLITICAL CRISIS  
[1](#)C. KUALA LUMPUR 609 - UMNO RESISTS REFORM

Classified By: POLITICAL SECTION CHIEF MARK D. CLARK, REASON 1.4 (B AND D).

Summary

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[1](#)1. (C) Home Minister Syed Hamid Albar briefed foreign diplomats, including the Ambassador, on the sodomy case against Anwar Ibrahim on July 23, one day after de facto Opposition leader conducted his own diplomatic briefing. Syed Hamid dismissed claims of conspiracy, defended the police handling of the case, and emphasized that Anwar was being treated fairly as "Malaysia follows the rule of law." In a follow-on conversation, the Home Minister told the Ambassador the government believed the criminal act of sodomy was consensual, and stated authorities would decide whether to prosecute prior to the expiration of Anwar's bail on August 18. Today's briefing reportedly was the result of a Cabinet decision. The GOM is becoming aware of the damage the Anwar case has had on its international reputation and is acting to challenge negative foreign perceptions. End Summary.

Home Minister: "We want the truth to be told"

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[1](#)2. (SBU) Home Minister Syed Hamid Albar on July 23 delivered a hastily-arranged briefing on Anwar Ibrahim's sodomy case to 96 representatives of the diplomatic corps. The Ambassador and poloff attended. The briefing came the day after Anwar's own briefing to diplomats (ref A). The Minister stated the briefing was not a "rebuttal," but just to "state the facts" and present the government's side of the case. Syed Hamid explicitly and repeatedly encouraged the assembled diplomats to use the information in the briefing to "put some of the picture right." The Minister acknowledged the government is "fighting a battle of perception" and that Anwar's case was making "Malaysia familiar with (the concept of) trial in the media." He said the idea of a government conspiracy against Anwar was "nonsense." After the briefing, he told reporters, "To us, there is no need to be afraid of the truth. Let them hear both sides. Whether they believe it or not is another matter but I think they will appreciate our transparency."

13. (SBU) Syed Hamid's briefing reiterated previous declarations that the GOM was not influencing the case. He repeatedly offered examples of how the police responded with deliberate caution in its investigation of the allegations. The Minister stated Anwar received special treatment, not usually afforded suspects, such as not being arrested immediately and having his lawyer present while the police questioned him. He defended the manner in which police arrested Anwar by stating Anwar's home is well fortified and protected by armed private security. He denied police wore baklavas (masks) when making the arrest, noting that "normal police" arrested Anwar and those in Baklavas were merely providing security.

14. (SBU) Syed Hamid referred to Anwar's sodomy charge in 1998 to support the current allegations of sodomy. He further stated, "We want the truth to be told. Let us investigate it and we will then know whether to proceed (with charges)."

"Malaysia follows rule of law"  
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15. (SBU) Syed Hamid explained that officials had not yet provided Anwar with the police report alleging sodomy because Malaysian law prohibits releasing such a report until the accused is formally charged. He reiterated that every part of the investigation and police actions is within legal boundaries and that "Malaysia follows the rule of law." He cited the removal of the Inspector General of Police (IGP)

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and Attorney General (AG) from an active role in the case because Anwar accused them of abuses when Anwar was in custody in 1998. He declared the police and attorney general personnel investigating the case do not report to the IGP and AG. (Note: The government announced the AG and IGP's recusal several weeks into the case. End Note.)

Minister takes swing at "outside" interference  
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16. (SBU) Alluding to but not specifying critical statements made by USG officials and American NGOs, Syed Hamid said Malaysia does not need the involvement of outside bodies to ensure citizens are protected. He continued by describing Malaysia as a rule of law country willing to do whatever was necessary to protect its citizens. The Minister also stated Malaysia has different morals and standards from other countries, represented by its own laws, which it must follow.

Decision to prosecute before August 18  
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17. (C) Ambassador Keith and other selected western diplomats had the opportunity to sit with the Minister following the briefing. The Ambassador asked Syed Hamid how often it pursued sodomy cases and whether prosecutors treated consensual cases differently from non-consensual ones. The Minister replied that there were many sodomy cases and that once a police report was filed, prosecutors still tended to file charges regardless of whether the act was consensual or not. He confided to the table that police believe the accuser, Saiful, consented to being sodomized, but later regretted participating in the act. Syed Hamid alleged the 23-year old was so upset over the sodomy that he attempted suicide prior to filing the initial police report. Saiful made his official complaint only after he went for a regular medical exam and told the doctor he was previously sodomized. The Minister also told the Ambassador prosecutors would make the decision on whether to charge Anwar prior to the expiration of his bail on August 18.

Comment  
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18. (C) The GOM is becoming aware of the negative impact the Anwar case has had on its international reputation and is acting to change the negative foreign perceptions. Today's briefing was an attempt by the GOM to influence the diplomatic community, counter Anwar's own messaging the day before, and work against critical international media attention. The decision to hold the briefing was taken by the Cabinet earlier in the day at its regularly scheduled meeting, a ministry official told us, which accounts for the lack of advance notice. The Minister shared no new information with the group as a whole and we doubt the briefing swayed diplomats to change their prior opinions; indeed, we heard a good measure of cynicism from some of the gathered diplomats. The government's decision to hold the event and the Ambassador's discussion with the Home Minister afterward served to reinforce our belief that the GOM already has decided to charge Anwar for sodomy, and it will take this next step by mid-August.

KEITH